

Please know how much it has meant to me to be here. I am profoundly grateful for the opportunity to be with you tonight.

Thank you.■

#### HAYES NOMINATION

● Ms. MURKOWSKI. Mr. President, I ask that my letter to Senator McCONNELL, dated May 4, 2009, with its attachment, be printed in the RECORD.

The material follows.

U.S. SENATE, COMMITTEE ON ENERGY  
AND NATURAL RESOURCES,

Washington, DC, May 4, 2009.

Senator MITCH MCCONNELL,  
Republican Leader, U.S. Senate, Washington,  
DC.

DEAR SENATOR MCCONNELL, Under the provisions of the Honest Leadership and Open Government Act of 2007 (section 512 of P.L. 110-81), attached please find a notice of my intent to object to proceedings on the nomination of David Hayes, Calendar number 31, reported by the Committee on Energy and Natural Resources on March 18, 2009. The reasons for my objection are included in the notice.

Sincerely,

LISA A. MURKOWSKI,  
Ranking Republican Member.

#### NOTICE OF INTENT TO OBJECT

Under the provisions of the Honest Leadership and Open Government Act of 2007 (section 512 of P.L. 110-81), I, Senator Lisa A. Murkowski, intend to object to proceedings on the nomination of David Hayes, Calendar number 31, reported by the Committee on Energy and Natural Resources on March 18, 2009, for the following reasons:

During conversations with the nominees at meetings and hearings, they have generally expressed very reasonable views, including an affirmation of the need for continued energy production in the United States.

However, actions speak louder than words, and I am disappointed and troubled by the lack of connection between the rhetoric from the Administration and its nominees, and the reality of the Administration's actions. Rarely a week goes by that the Department of the Interior doesn't issue a pronouncement, that, taken together, add up to a wholesale assault on domestic natural resource development. A few examples are: Cancellation of the Utah leases; 180-day delay of the 5-year plan; delay of the new round of oil shale research, demonstration, and development leases; listing of the yellow billed loon; Monday's determination that the mountaintop coal mining rule is "legally defective," and, most recently, the potential application of Endangered Species Act consultation requirements to all activities that may increase carbon output.

Further, I have not been satisfied with the responses to questions we have submitted on these matters to nominees that have previously come before this Committee.

Therefore, I will add my name to the list of those who intend to object to the confirmation of Deputy Secretary-nominee David Hayes, until we can get some assurance that we will see the actions of the Department of the Interior comport with the transparency and process and policy that they have promised.

I will soon be sending a letter to the Department of the Interior with detailed questions regarding my concerns.

These are questions of huge significance to not only American energy security, but to our ability to maintain our Nation's entire infrastructure, and grow our economy.■

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO COMMANDANT CHARLES BALDWIN

● Mr. CARPER. Mr. President, this spring, the fourth class will graduate from the Delaware Military Academy, and I would like to take this opportunity to recognize Commandant Charles W. Baldwin for his years of dedicated service to the school.

The Delaware Military Academy, DMA, is a unique public charter school affiliated with the Red Clay School District. Cofounded in 2003 by Commandant Baldwin and opened that year with only grades 9 and 10, the DMA has quickly found success.

Today, in addition to being a Middle States fully accredited school, the academy has grown to enroll 525 students in grades 9 through 12 and has a waiting list of more than 200 applicants. Since 2006, DMA has earned a superior rating every year from the Delaware Department of Education. In 2008, the school was named a Superstars in Education Award Winner by the Delaware Chamber of Commerce.

Designated by the United States Navy as a Distinguished Unit with Academic Honors, the academy has the unique privilege and responsibility of naming nine nominations among the Naval Academy, Air Force Academy and West Point Military Academy.

The unique school offers students a tuition-free, 4-year high school program. The entire school is incorporated within the Navy Junior Reserve Officer Training Corps, and as the first school of this nature, has become the model high school for this Navy Training Corps.

The Delaware Military Academy's college preparatory academic curriculum is supplemented with courses that include naval operations, navigation, leadership, seamanship and oceanography. With its cadet hierarchy, students are placed in leadership positions and given responsibilities rarely found in a civilian high school. As a result, they emerge from the academy better prepared to meet the demanding challenges of the adult world.

In just 6 short years, the academy, under the leadership of Commandant Baldwin, has done what takes some schools more than 20 years to accomplish. It has built and maintained a successful system that instills values and responsibility into our children while providing them an excellent education. Moreover, the commitment of DMA and its student body to community service is widely known and appreciated in the State of Delaware.

While success in such a short period is certainly a credit to the faculty and students of the academy, Commandant Baldwin has indeed played a critical leading role.

A 24-year Navy veteran himself, Commandant Baldwin has dedicated his life to training, teaching and recruiting,

including a tour of duty as principal of the George V. Kirk Middle School in Delaware's Christiana School District. Before cofounding the Delaware Military Academy, Commandant Baldwin established NJROTC programs in Delaware's Seaford and Christiana School Districts. During this time, he has received both military and civilian awards for excellence, including the Meritorious Service Medal, the Military Order of the Purple Heart, Christiana Teacher of the Year and the Christiana School District Citizenship Award. In addition, he twice received Presidential awards for management excellence.

On a personal note, I have known and admired Commandant Baldwin for more than a decade. My sincere hope is that as he steps down from his leadership role at the Delaware Military Academy, he will consider leading an effort to establish other public charter schools in the state that are based on the DMA's unique model.

I want to personally thank Commandant Baldwin for his commitment to Delaware, to the education of its young people, and to preparing them for lives of service. I warmly wish him the best.■

#### DRAFT LIST OF SITES, LOCATIONS, FACILITIES, AND ACTIVITIES IN THE UNITED STATES FOR DECLARATION TO THE INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA), UNDER (THE "U.S.-IAEA ADDITIONAL PROTOCOL"), AND CONSTITUTES A REPORT THEREON, AS REQUIRED BY SECTION 271 OF PUBLIC LAW 109-401—PM 15

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

*To the Congress of the United States:*

I transmit herewith a list of the sites, locations, facilities, and activities in the United States that I intend to declare to the International Atomic Energy Agency (IAEA), under the Protocol Additional to the Agreement between the United States of America and the International Atomic Energy Agency for the Application of Safeguards in the United States of America, with Annexes, signed at Vienna on June 12, 1998 (the "U.S.-IAEA Additional Protocol"), and constitutes a report thereon, as required by section 271 of Public Law 109-401. In accordance with section 273 of Public Law 109-401, I hereby certify that:

(1) each site, location, facility, and activity included in the list has been examined by each department and agency with national security equities with respect to such site, location, facility, or activity; and

(2) appropriate measures have been taken to ensure that information of direct national security significance will

not be compromised at any such site, location, facility, or activity in connection with an IAEA inspection.

The enclosed draft declaration lists each site, location, facility, and activity I intend to declare to the IAEA, and provides a detailed description of such sites, locations, facilities, and activities, and the provisions of the U.S.-IAEA Additional Protocol under which they would be declared. Each site, location, facility, and activity would be declared in order to meet the obligations of the United States of America with respect to these provisions.

The IAEA classification of the enclosed declaration is "Highly Confidential Safeguards Sensitive"; however, the United States regards this information as "Sensitive but Unclassified."

Nonetheless, under Public Law 109-401, information reported to, or otherwise acquired by, the United States Government under this title or under the U.S.-IAEA Additional Protocol shall be exempt from disclosure under section 552 of title 5, United States Code.

BARACK OBAMA,  
THE WHITE HOUSE, May 5, 2009.

#### MESSAGE FROM THE HOUSE

At 2:21 p.m., a message from the House of Representatives, delivered by Mr. Zapata, one of its reading clerks, announced that the House has passed the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 103. Concurrent resolution supporting the goals and ideals of Malaria Awareness Day.

H. Con. Res. 111. Concurrent resolution recognizing the 61st anniversary of the independence of the State of Israel.

#### MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 111. Concurrent resolution recognizing the 61st anniversary of the independence of the State of Israel; to the Committee on Foreign Relations.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 5, 2009, she had presented to the President of the United States the following enrolled bill:

S. 735. An act to ensure States receive adoption incentive payments for fiscal year 2008 in accordance with the Fostering Connections to Success and Increasing Adoptions Act of 2008.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BAUCUS for the Committee on Finance.

\*Alan B. Krueger, of New Jersey, to be an Assistant Secretary of the Treasury.

\*William V. Corr, of Virginia, to be Deputy Secretary of Health and Human Services.

\*Demetrios J. Marantis, of the District of Columbia, to be a Deputy United States Trade Representative, with the rank of Ambassador.

By Mr. KERRY for the Committee on Foreign Relations.

\*Johnnie Carson, of Illinois, to be an Assistant Secretary of State (African Affairs).

\*Ivo H. Daalder, of Virginia, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Nominee: Ivo H. Daalder.

Post: NATO.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$500, 01/29/2008, Barack Obama; \$500, 12/28/2007, Barack Obama; \$500, 03/08/2006, Harris Miller.

2. Spouse: Elisa D. Harris: \$250, 03/28/2008, Hillary Clinton; \$250, 03/06/2008, Hillary Clinton; \$500, 03/08/2006, Harris Miller.

3. Children and Spouses: Marc H. Daalder—none; Michael H. Daalder—none.

4. Parents: Hans Daalder—none; Anneke Daalder—deceased.

5. Grandparents: Dirk Daalder—deceased; H. H. Daalder-Oversteegen—deceased; Rose Neukircher—deceased; Ivan Neukircher—deceased.

6. Brothers and Spouses: Eric Daalder—none; Helmi de Ruiter—none.

7. Sisters and Spouses: Martine Daalder—none; Sandro Bartolini—none.

\*Luis C. de Baca, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with rank of Ambassador at Large.

Nominee: Luis C. de Baca.

Post: G/TIP.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: 10/08, Obama For America, \$250, 5/30/05, CHC-BOLD PAC, \$250.

2. Spouse: 10/18/08, Anne Barth for Congress, \$250; 10/08, Obama for America, \$250; 6/12/07, Hillary Clinton for President, \$250; 11/1/06, Leadership of Today and Tomorrow PAC, \$1,000; 3/31/06, Menendez for Senate, \$2,000.

3. Children and Spouses: None.

4. Parents: Mary de Baca, 8/13/08, Citizens for Harkin, \$250; 2008, Becky Greenwald for Congress, \$150; 8/29/07, Citizens for Harkin, \$200; 2006, Citizens for Harkin, \$250; 2006, Spencer for Congress, \$100; 2005, Citizens for Harkin, \$250; Robert C. de Baca, deceased.

5. Grandparents: Luis C. de Baca, deceased; Maria Antonia C. de Baca, deceased; Ephraim Joseph Marchino, deceased; Dorothy Elizabeth Marchino, deceased.

6. Sisters and Spouses: Monica de Baca, 9/9/08, Obama for America, \$100; Suzanna de Baca, None; Ron Weatherman, None.

Mr. KERRY. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

\*Foreign Service nominations beginning with Gregory D. Loose and ending with Gregory M. Wong, which nominations were received by the Senate and appeared in the Congressional Record on April 2, 2009.

\*Foreign Service nominations beginning with Laszlo F. Sagi and ending with Daniel E. Harris, which nominations were received by the Senate and appeared in the Congressional Record on April 2, 2009.

\*Foreign Service nominations beginning with John M. Kowalski and ending with Jeremy Terrill Young, which nominations were received by the Senate and appeared in the Congressional Record on April 2, 2009.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KERRY:

S. 969. A bill to amend the Public Health Service Act to ensure fairness in the coverage of women in the individual health insurance market; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LANDRIEU (for herself, Mr. MARTINEZ, Mr. JOHNSON, and Mr. LIEBERMAN):

S. 970. A bill to promote and enhance the operation of local building code enforcement administration across the country by establishing a competitive Federal matching grant program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER:

S. 971. A bill to implement a pilot program to establish truck parking facilities; to the Committee on Environment and Public Works.

By Mr. GRASSLEY (for himself and Mrs. HAGAN):

S. 972. A bill to amend the Food, Conservation, and Energy Act of 2008 to provide funding for successful claimants following a determination on the merits of Pigford claims related to racial discrimination by the Department of Agriculture; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. NELSON of Florida (for himself, Mr. REID, and Mr. SCHUMER):

S. 973. A bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes; to the Committee on Finance.

By Mr. MARTINEZ:

S. 974. A bill to amend title XIX of the Social Security Act to require the Secretary of Health and Human Services to make certain de-identified information collected under the Medicaid Statistical Information System publicly available on the Internet; to the Committee on Finance.

By Mr. MARTINEZ (for himself, Mr. CORNYN, Ms. COLLINS, Mr. NELSON of Florida, Mr. ALEXANDER, Mr. GRAHAM, Mr. VITTER, Mr. DEMINT, and Mr. CORKER):

S. 975. A bill to amend title XVIII of the Social Security Act to reduce fraud under the Medicare program; to the Committee on Finance.

By Mr. GRASSLEY:

S. 976. A bill to provide that certain provisions of subchapter I of chapter 35 of title 44,